

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – T & A Department – Sri N. Satyanarayana,, Sub Treasury Officer, District Treasury, Visakhapatnam – Punishment of reduction of pay by two stages for a period of two years without cumulative effect awarded by D.T.A., Hyderabad – Appeal petition – Orders – Issued.

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FINANCE (Admn.III) DEPARTMENT

G.O. Rt. No. 2285

Dt. 06 -06-2011

Read the following:

1. Procs. No. K(1)2/4754/2007-2, dt. 29-7-2010 of D.T.A., Hyderabad.
2. Appeal petition of Sri N. Satyanarayana,, Sub Treasury Officer, District Treasury, Visakhapatnam dt. 28-8-2010.
3. Lr. No. K(1)2/1023/2011, dt. 31-12-2010 from the D.T.A., Hyderabad.

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ORDER:

On the allegations of his failure to undertake proper scrutiny of the arrear claims of Special Vidya Volunteers of Visakhapatnam District as per the Government orders issued from time to time the following charge has been framed against Sri N.Satyanarayana,, Sub Treasury Officer, District Treasury, Visakhapatnam.

Charge

Sri N. V. Satyanarayana, Asst. Treasury Officer, while working as S.T.O. in District Treasury, Visakhapatnam has failed to undertake proper scrutiny of the arrear claim of Sri M.Padal Koti Babu , SGT. TWAUP, School, Peddaguda, with reference to the orders issued in G.O.Ms.No.130, Education (Ser.V) Department, dated:26.10.2005 and procs.Rc.No.812/PMC/2002, dt. 2.12.2000 of the Project Officer and processed express pay order vide Sl.No. 362 of the Pre-audit Register of the District Treasury for approval of his Deputy Director even though the claim is inadmissible and thereby found responsible for irregular passing for payment of the said irregular bill amounting to Rs. 27,667/- vide Token No. 10298 dated 07-11-2006 and also paving way for subsequent admission of similar irregular claims. Thus he failed to discharge his duties as a responsible Treasury Officer and exhibited conduct unbecoming of a Government servant.

2. After following due procedure, punishment of reduction of pay by two stages for a period of two years without cumulative effect was imposed against him vide reference 1<sup>st</sup> read above.

3. Aggrieved by that the individual has preferred an appeal petition vide reference 2<sup>nd</sup> read above, wherein he has stated that the departmental proceedings were initiated basing on the G.O.Ms.No.130, Edn. (Ser.V) Dept., dt. 26-10-2005, and the punishment was awarded to him. Now the Hon'ble APAT in its common judgement dt. 10-2-2010 in O.A.No. 7613/2005 and batch held as follows:

“In the result, the O.As. are allowed in part with the following directions. The Words “Prospective effect” mentioned in para 4 of G.O.Ms.No.130, Edn. (Ser.V) Dept., dt. 26-10-2005 are **Struck down as unconstitutional**”

4. He also stated that the words prospective effect mentioned in para – 3 of Procs. in Rc.No.1676/D3-4-2005, dt. 2-11-2005 issued by the Director of School Education, Hyderabad are also struck down as unconstitutional. Hence pre-audit of bills attended by him amounting to Rs.27,667/- in terms of the Govt. orders in G.O. Rt. No. 748, School Education (SP.R & E2) Dept., dated 27-8-2004 are correct and there will be no fault on his part. When the Hon'ble APAT declared the provision as unconstitutional and struck down, awarding of punishment later comes under against the orders of the APAT which

has become final and no Appeal or Revision has been preferred against it.. As such the relevant clause in said G.O. which is basis for initiation of disciplinary proceedings was struck down as unconstitutional, the charge memo is also unconstitutional and finally he prayed that the charge framed against him may kindly be dropped and the punishment awarded against him may be set aside.

5. Hence by taking into consideration the subsequent events, the appeal petition of the appellant deserves consideration and decided to set aside the punishment of reduction of pay by two stages for a period of two years without cumulative effect awarded by the DTA, Hyderabad and exonerate him fully from the charge which was issued basing on the G. O. Ms. No.130 dated 26-10-2005 as the said G.O. was struck down by the APAT subsequently.

6. Government accordingly, order to exonerate the appellant from the charge and to set aside the punishment of withholding of punishment of reduction of pay by two stages for a period of two years without cumulative effect awarded by the D.T.A., Hyderabad vide his Proceedings. 1<sup>st</sup> read above.

7. The Director of Treasuries & Accounts, Hyderabad is requested to take necessary action in the matter accordingly under intimation to the Government.

8. The G.O. is available on Internet and can be accessed at the address <http://www.goir.ap.gov.in>

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

L.V.SUBRAHMANYAM  
PRINCIPAL SECRETARY TO GOVERNMENT (FP)

To  
The individual  
(through the DTA, Hyd.)  
Copy to: The D.T.A., A.P., Hyd.  
SC/SF

//FORWARDED:: BY ORDER//

SECTION OFFICER